

GUNJI *et al.* – U.S. Pat. Appln. No. 09/986,140
Attorney Docket No.: 008312-0284090

- AMENDMENT -

REMARKS

Reconsideration and the timely allowance of the pending claims, in view of the following remarks, are respectfully requested.

In the Office Action dated September 29, 2005, the Examiner rejected claims 1 and 5-6, under 35 U.S.C. §102(b), as allegedly being anticipated by Peters '236 (U.S. Patent No. 6,058,236); rejected claim 4, under 35 U.S.C. §103(a), as allegedly being unpatentable over Peters '236; and rejected claims 2-3 and 7-8, under 35 U.S.C. §103(a), as allegedly being unpatentable over Peters '236 in view of Takemoto '742 (U.S. Patent No. 6,335,742).

By this Amendment, Applicants have amended cancelled claim 5, without prejudice or disclaimer, amended claims 1-4 and 6-8, and have introduced new claim 9. Applicants submit that no new matter has been introduced. As such, claims 1-4 and 6-9 are currently presented for examination, of which claims 1 and 6 are independent.

Applicants respectfully traverse the prior art rejections, under 35 U.S.C. §102(b), §103(a) for the reasons presented below

I. Prior Art Rejections Under 35 U.S.C. §102(b), §103(a).

As indicated above, amended independent claim 1 now positively recites that the chapter manager is configured to automatically store position information of the video data to the chapter information recording area as chapter boundary information of the video data when the recording operation of the recording processor is temporarily halted by the input section and restarted after the temporary halt. Additionally, amended claim 1 positively recites the use of a thumbnail setting section that is configured to set a top picture as a thumbnail image when the recording processor restarts the recording operation after the temporary halt. These features are amply

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supported by the embodiments described in the Specification. (*See, e.g.*, Specification, page 27, line 24 – page 28, line 27; FIG. 10).

Unlike the present invention, there is nothing in the references of record that teach or suggest the combination of features recited in claim 1. In particular, the Peters '236 reference merely discloses that computer 9 monitors the incoming signal, and, upon detecting a discontinuity, computer 9 stores the recorded information as a clip of material. Then, when recording resumes, computer 9 begins storing another clip. (*See, e.g.*, Peters '236: col. 2, lines 54-62).

In so doing, the Peters '236 reference clearly fails to teach or suggest that a chapter manager automatically stores position information of the video data to the chapter information recording area as chapter boundary information of the video data when the recording operation of the recording processor is temporarily halted by the input section and restarted, as required by claim 1. And, there is nothing in Peters '236 that remotely teaches or suggests the use of a thumbnail setting section that is configured to set a top picture as a thumbnail image when the recording processor restarts the recording operation after the temporary halt, as also required by claim 1.

Applicants further submit that the Takemoto '742 reference fails to cure the deficiencies identified above relative to the Peters '236 reference. First, Takemoto '742 remains silent as to the use of a chapter manager that automatically stores position information of the video data to the chapter information recording area as chapter boundary information of the video data when the recording operation of the recording processor is temporarily halted by the input section and restarted, as required by claim 1.

Secondly, Takemoto '742 merely discloses the capability of having an operator select a folder from a folder display area and displaying a thumbnail included in the selected folder on a thumbnail display area. (*See, e.g.*, Takemoto '742: col. 9, lines 41-55; FIG. 15). As such, there is nothing in Takemoto '742 that teaches or suggests the

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setting of a top picture as a thumbnail image when the recording processor restarts the recording operation after the temporary halt, as required by claim 1.

For at least these reasons, Applicants submit that none of these references, whether taken alone or in reasonable combination, teach the claimed combination of elements recited by amended claim 1. Thus, claim 1 is patentable over the references. And, because claims 2-4 depend from claim 1, claims 2-4 are also patentable by virtue of dependency as well as for their additional recitations. Accordingly, Applicants request the immediate withdrawal of the prior art rejections of claims 1-4.

Moreover, because independent claim 6 recites features that are similar to the patentable features discussed above regarding claim 1, claim 6 is also patentable for the same reasons presented above. And, because claims 7-9 depend from independent claims 6, claims 7-9 are patentable at least by virtue of dependency as well as for their additional recitations. Accordingly, Applicants request the immediate withdrawal of the prior art rejections of claims 6-9.

II. Conclusion.

All matters having been addressed and in view of the foregoing, Applicants respectfully request the entry of this Amendment, the Examiner's reconsideration of this application, and the immediate allowance of pending claims 1-4 and 6-9.

Applicants' Counsel remains ready to assist the Examiner in any way to facilitate and expedite the prosecution of this matter. Please charge any fees associated with the submission of this paper to Deposit Account Number 033975.

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The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

**PILLSBURY WINTHROP
SHAW PITTMAN LLP**



E. RICO HERNANDEZ
Reg. No. 47641
Tel. No. (703) 770-7788
Fax No. (703) 770-7901

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ERH/dlh
P.O. Box 10500
McLean, VA 22102
(703) 770-7900